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10/583,589	06/19/2006	Daniel Migault	33901-202PUS	6745

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EXAMINER	
NGUYEN, PHUNG HOANG JOSEPH	
ART UNIT	PAPER NUMBER
2614	
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10/31/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/583,589	MIGAULT ET AL.	
	Examiner	Art Unit	
	PHUNG-HOANG J. NGUYEN	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 June 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4 and 9-14* is/are rejected.

7)☒ Claim(s) *5-8* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being unpatentable over Adamczyk (US Pat 7,320,026) in view of RFC 3026.

As to claims 1 and 9, Adamczyk teaches a method of sending at least one request (R) ***(one or more requests, col. 2, line 2)*** to a domain name server (1, 2, 3) ***(ENUM/DNS server 318 of fig. 3)*** from a requesting machine (H) ***(platform 308 where the subscriber 302 sends request via communication module 314, col. 6, lines 58-65)***, said domain name server (1, 2, 3) ***(ENUM/DNS server 318 of fig. 3)*** being an E.164.arpa telephone number ***(ENUM format, col. 7, line 6 and lines 19-25)*** domain name server and each name being determined from an E.164 format destination telephone number (NTEL) ***(the destination subscriber, col. 8, line 6)*** contained in said request (R) ***(the send message request includes a phone number identifying the destination subscriber, i.e., the subscriber that will receive the message, col. 8, lines 5-8).***

Furthermore, Adamczyk teaches a telephone number database (DB) ***(LDAP Server Communications Module 324 interfacing with LDAP database to perform destination information, fig. 3, col. 7, lines 48-49)*** local to the requesting machine (H) ***(platform 308 where the subscriber 302 sends request via communication module 314, col. 6, lines 58-65).***

Adamczyk does not explicitly teach a prior test of the validity of the destination telephone number (NTEL) of the request (R) is executed automatically and locally to the requesting machine (H) relative to a telephone number database (BD) local to the requesting machine (H) in order to forward the request (R) from the requesting machine (H) to the domain name server (1, 2, 3) only if its destination telephone number (NTEL) passes said test.

RFC 3026 teaches the entity to which E. 164 test codes have been assigned will be responsible for providing any appropriate assignment information to DNS administrators ***(page 1).*** The implication is that prior to any type of information being routed, there must be a check capability to verify the validity of the destination telephone number, including format, country code and domain code. Furthermore, as appreciated by the ordinary skilled artisan, digit analysis is a form of required test in processing a request or a call.

Therefore it would have been obvious to the ordinary skilled artisan at the time the invention was made to incorporate the teaching of RFC 3026 into the teaching of Adamczyk for the purpose of clearly defining the ENUM format including the country code and this format must be verified/tested prior to an actual call processing.

As to claim 2, Adamczyk, in view of RFC 3026, teaches country code as the form is lay out: 4043322278 is represented as 8.7.2.2.2.3.3.4.0.4.1.e164.arpa. As appreciated by the ordinary skilled artisan, e164.arpa represents the domain name 1 represents the country code (in this case, 1 for the USA) and 404 represents the area code… ***(col. 7, line 6).***

In addition to Adamczyk, RFC 3026 also clearly defines the common advantage of zones of a domain name which includes the country code ***(page 1).***

As to claims 3-5, Adamczyk teaches at least one numbering plan is stored in the local telephone number database (BD) (for example 4043322278 is represented as 8.7.2.2.2.3.3.4.0.4.1.e164.arpa, col. 7, line 24) the numbering plan or each numbering plan comprising at least one block (BN) of telephone numbers ***(e164.arpa = domain name; 1 = Country code (CC); 404 = area code or NPA; the last 7 digits (3322278) sometimes known as NPP/NXX). (***Further support on this numbering plan can be found in RFC 2916 – "E.164 and DNS).

Adamczyk does not explicitly teach said test includes a step (E11) of determining whether the destination telephone number (NTEL) of the request (R) belongs to a block of numbers (BN) of the numbering plan, the destination telephone number (NTEL) of the request (R) failing said test (E12) if the result of the determination step (E11) is a negative result.

RFC 3026 teaches the entity to which E. 164 test codes have been assigned will be responsible for providing any appropriate assignment information to DNS

administrators ***(page 1).*** As RFC 3026 discusses the various country code zones in length (1-3 digits dependent on the CC), that is a matter of the administrative function of this country. The ITU provides the assignment information to each member state. Thus assigns test codes to determine the appropriate assignment information to the DNS. The test result is negative if the destination telephone number is not appropriately assigned to the numbering plan. Otherwise the test result is positive.

As to claims 10- 11, Adamczyk, in view of RFC 3026, teaches the request-sending device according to claim 10, wherein the receiver means (DR), the automatic control means (DC), and the sending means (DE) are in the requesting machine (H) and the automatic control means (DC) can consult the telephone number database (BD) via a local area network (RL) ***(Fig. 3 shows the platform 308 with all the component capable of receiving, sending, controlling and consulting the database in the process of sending the request).***

As to claim 12, Adamczyk, in view of RFC 3026, teaches a requesting machine ***(all components in the platform 308 participate in the requesting process of fig. 3)*** including a device ***(DNS server communication module 318)*** for sending at least one request.

As to claim 13, Adamczyk, in view of RFC 3026, teaches a computer program adapted to be stored on a data medium and including program instructions for executing the method according to claim 1 of sending at least one request ***(throughout Adamczyk's document).***

As to claim 14, Adamczyk, in view of RFC 3026, teaches a system comprising at least one E.164.arp a numbering domain name server (1, 2, 3) and a plurality of requesting machines (H) according to claim 12 adapted to send at least one request to said server(s) (1, 2, 3) ***(see claim 1 or 9).***

Allowable Subject Matter

Claims 6-8 are objected to as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

INQUIRY

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUNG-HOANG J. NGUYEN whose telephone number is (571)270-1949. The examiner can normally be reached on Monday to Thursday, 8:30AM - 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 571 272 7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CURTIS KUNTZ/
Supervisory Patent Examiner, Art Unit 2614

/Phung-Hoang J Nguyen/
Examiner, Art Unit 2614